

**THIRTY-FOURTH DAY**

(Monday, March 13, 1961)

The Senate met at 11:00 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Lane
Baker	Martin
Calhoun	Moffett
Colson	Moore
Creighton	Owen
Crump	Parkhouse
Dies	Patman
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Willis
Krueger	

Absent—Excused

Schwartz Weinert

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation as follows:

" 'How amiable are Thy tabernacles, O Lord of Hosts.' We thank Thee for a day of rest and of worship. As it is written, 'How beautiful on the mountains are the feet of him that bringeth good tidings.' With minds clear, and spirits refreshed, let us walk with Thee today. For Christ's sake. Amen."

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, March 9, 1961, was dispensed with and the Journal was approved.

**Leaves of Absence**

Senator Weinert was granted leave of absence for today on account of illness in the family on motion of Senator Aikin.

Senator Schwartz was granted leave of absence for today on account of important business on motion of Senator Baker.

**Bill Signed**

The President signed in the presence of the Senate after the caption

had been read, the following enrolled bills:

S. B. No. 89, A bill to be entitled "An Act changing the name and designation of the Criminal Judicial District Court of Bexar County, Texas, as originally created by H. B. 131, Act of 1933, 43rd Legislature, p. 867, Ch. 247, and as now provided for by H. B. 486, Acts of 1957, 57th Legis., p. 1478, Ch. 507, to the 144th Judicial District Court of Bexar County, Texas; changing the name and designation of the Criminal Judicial District Court No. 2, as originally created by S. B. 395, Acts of 1955, 54th Legis., p. 730, Ch. 262, and as now provided for by H. B. 486, Acts of 1957, 55th Legis., p. 1478, Ch. 486, to the 175th Judicial District Court of Bexar County, Texas, etc., and declaring an emergency."

S. B. No. 239, A bill to be entitled "An Act amending Section (a) of Article 6686 of the Revised Civil Statutes of Texas, 1925, as amended, relating to manufacturers and dealers registration of motor vehicles; and declaring an emergency."

**Senate Resolution 177**

Senator Dies offered the following resolution:

Whereas, We are honored today to have as a visitor in the Senate Elbert Reese; and

Whereas, We desire to welcome this distinguished visitor to the Capitol Building and Capital City; now, therefore, be it

Resolved, That his presence be recognized by the Senate of Texas and that he be extended the official welcome of the Senate.

The resolution was read and was adopted.

Senator Dies by unanimous consent presented Mr. Reese to the Members of the Senate.

**Senate Bill 391 on First Reading**

Senator Gonzalez moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

## Yeas—28

Aikin	Krueger
Baker	Lane
Calhoun	Martin
Colson	Moore
Creighton	Owen
Crump	Parkhouse
Dies	Patman
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Willis

## Nays—1

Moffett

## Absent—Excused

Schwartz                  Weinert

The following bill was then introduced, read first time and referred to the committee indicated:

By Senator Gonzalez:

S. B. No. 391, A bill to be entitled "An Act relating to drivers' licenses; amending Chapter 173, Acts of the 47th Legislature, as amended (codified as Article 6687b in Vernon's Texas Civil Statutes), by amending Section 2(b) thereof to require chauffeurs and commercial operators to hold operators' licenses in order to drive as operators on and after January 1, 1961; adding a new section entitled Section 22a providing that no act or offense committed under one class of license may be used in an action under Section 22 to suspend or revoke any other class of license; specifically excepting automatic suspensions; making an appropriation; and declaring an emergency."

To the Committee on Transportation.

## Senate Bill 392 on First Reading

Senator Smith moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

## Yeas—29

Aikin	Calhoun
Baker	Colson

Creighton	Moffett
Crump	Moore
Dies	Owen
Fuller	Parkhouse
Gonzalez	Patman
Hardeman	Ratliff
Hazlewood	Reagan
Herring	Roberts
Hudson	Rogers
Kazen	Secrest
Krueger	Smith
Lane	Willis
Martin	

## Absent—Excused

Schwartz                  Weinert

The following bill was then introduced, read first time and referred to the committee indicated:

By Senator Smith:

S. B. No. 392, A bill to be entitled "An Act relating to the appointment, qualifications, duties and compensation of official shorthand reporters for the District Courts of the 72nd, 140th and 99th Judicial Districts of Texas, and for County Court at Law No. 1 and County Court at Law No. 2, of Lubbock County, Texas, fixing maximum and minimum salaries to be paid, in addition to compensation for transcripts, statements of facts and other fees, repealing all laws or parts of laws in conflict; providing a saving clause; and declaring an emergency."

To the Committee on Counties, Cities and Towns.

## Senate Resolution 179

Senator Lane offered the following resolution:

Whereas, We are honored today to have as a visitor in the Senate Galloway Calhoun; and

Whereas, We desire to welcome this distinguished visitor to the Capitol Building and Capital City; now, therefore, be it

Resolved, That his presence be recognized by the Senate of Texas and that he be extended the official welcome of the Senate.

LANE  
DIES  
MOFFETT

The resolution was read and was adopted.

Senator Lane by unanimous consent presented Mr. Calhoun to the Members of the Senate.

**Senate Resolution 180**

Senator Moore offered the following resolution:

Whereas, Today is the birthday of our esteemed colleague, Senator Crawford C. Martin; and

Whereas, It is the desire of the Senate to extend greetings, and felicitations to him on this anniversary of his birth; now, therefore, be it

Resolved, That we wish him many happy returns of the day.

MOORE

Signed—Ben Ramsey, Lieutenant Governor; Aikin, Baker, Calhoun, Colson, Creighton, Crump, Dies, Fuller, Gonzalez, Hardeman, Hazlewood, Herring, Hudson, Kazen, Krueger, Lane, Moffett, Owen, Parkhouse, Patman, Ratliff, Reagan, Roberts, Rogers, Schwartz, Secrest, Smith, Weinert, Willis.

The resolution was read.

On motion of Senator Crump and by unanimous consent the names of the Lieutenant Governor and the Senators were added to the resolution as signers thereof.

The resolution was then adopted.

**Senate Resolution 181**

Senator Roberts offered the following resolution:

Whereas, Our distinguished colleague, Senator Crawford C. Martin, prominent Hillsboro attorney and one of Texas' most widely known, well-informed and highly-respected State Senators, has been selected as Hill County's Man of the Year for 1960; and

Whereas, His selection, the second annual tribute by the Daily Mirror to an outstanding citizen of Hill County, was made from a list of leading local citizens nominated by readers of this newspaper; and

Whereas, Crawford, as he is known by friends far and wide, was selected this year because of his work toward improving living conditions and the general well-being of two large segments of the citizenship of this county—the young and the old; and

Whereas, Foremost among his many pursuits throughout the year have been his efforts to reactivate Hillsboro

Junior College and his chairmanship of a statewide committee to study the problems and make suggestions designed to improve the lives of our older citizens; and

Whereas, Senator Martin, through his leadership in the educational reactivation of Hillsboro Junior College, has inspired local civic leaders to take this as their club's project; and

Whereas, His knowledge of the state's educational processes prompted the MIRROR to do a series of articles about the college in 1959; and

Whereas, At 44 years of age he is a veteran State Legislator and served as President Pro Tempore of the Texas Senate in 1955 and served as Governor for a Day on May 2nd of that year; and

Whereas, His colleagues in the Senate wish to pay tribute to Senator Martin for his valuable contributions to his community, his county, his district and his State and his fellowmen; now, therefore, be it

Resolved, That the Senate of the Fifty-seventh Legislature congratulate Senator Crawford Martin upon his selection as Hill County's Man of the Year 1960.

ROBERTS  
REAGAN  
MOORE  
OWEN  
MOFFETT  
PATMAN  
WILLIS  
RATLIFF  
CALHOUN  
GONZALES  
CREIGHTON  
CRUMP  
HARDEMAN  
PARKHOUSE  
COLSON  
AIKIN  
ROGERS  
LANE  
BAKER  
SCHWARTZ  
DIES  
SECREST  
KAZEN  
SMITH  
HERRING

The resolution was read and was adopted.

**Presentation of Guest**

Senator Aikin by unanimous consent presented Tommie Green of Sul-

phur Springs to the Members of the Senate.

**Senate Resolution 182**

Senator Smith offered the following resolution:

Whereas, The girls' basketball team of Sundown High School, Hockley County, Texas, won the Class A Basketball Championship in Austin, Texas, on Saturday, March 11, 1961; and

Whereas, By winning a 50-46 victory over Moulton's Bobkittens, they have brought much credit to their school, city and the West Texas region; and

Whereas, They were ably coached by C. W. Dukes, an able athletic coach, and a person of high ideals; and

Whereas, They finished a commendable season with 35 games won and 3 lost; and

Whereas, The championship game represented hard work and determination on the part of each member of the team and the coach; now, therefore, be it

Resolved, That the Senate of the State of Texas congratulate Sundown High School; the members of the winning basketball team and coach; the people of the Sundown Community; that a copy of this resolution be sent to Sundown High School, and to each member of the team and to the coach.

The resolution was read and was adopted.

**Message from the Governor**

The following message received from the Governor today was read and was referred to the Committee on Nominations:

Austin, Texas,  
March 13, 1961.

To the Senate of the Fifty-Seventh Legislature:

I ask the advice, consent, and confirmation of the Senate with respect to the following appointment:

To be judge of the District Court of the 58th Judicial District, to fill the unexpired term of Judge Melvin Combs, resigned, effective April 1, 1961: Jack Brookshire of Beaumont, Jefferson County.

Respectfully submitted,  
PRICE DANIEL  
Governor of Texas

**Message from the House**

Hall of the House of Representatives  
Austin, Texas,  
March 13, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. B. No. 178, Amending Article 1429 of the Penal Code of Texas, 1925, relating to conversion by a bailee; and declaring an emergency.

H. B. No. 519, Amending Section 16 of Chapter 133, Acts of the Fifty-fifth Legislature, Regular Session, 1957, to provide that revenues received under the Texas Egg Law be deposited in the General Revenue Fund of the State; abolishing the Egg Law Enforcement Fund; transferring the balances therein to the General Revenue Fund; and declaring an emergency.

H. B. No. 46, Amending Chapters 14 and 15 of House Bill No. 11, Chapter 1, Acts of the Fifty-sixth Legislature, Third Called Session, revising statutes levying the inheritance tax and the additional inheritance tax; providing for the Comptroller to have full authority and responsibility for administration of the inheritance tax and the additional inheritance tax; providing for the filing of returns and penalties for failure to file; providing for payment of the tax within fifteen (15) months and interest for failure to pay; providing a lien; providing for a refund for overpayments; providing for additional information as the Comptroller may require; providing for the Comptroller to issue rules and regulations; providing for the Comptroller to examine records of estates; providing for the Comptroller and the Attorney General to enter into agreements with other states when the residence of a deceased is in question; providing a saving clause; providing a severability clause; repealing all laws in conflict herewith; providing for an effective date; and declaring an emergency.

H. B. No. 93, Amending Section 1 of House Bill No. 513, Chapter 237, Acts of the Fifty-third Legislature, Regular Session, which is codified as Section 1 of Article 725c, Vernon's Texas Penal Code, so as to provide that the indictment shall not require

the naming of the specific narcotic drug; and declaring an emergency.

S. C. R. No. 24, Veterans Land Board Special Fund No. 52 (for acceleration of land transactions).

S. C. R. No. 25, Authorizing Board for Texas State Hospitals and Special Schools to acquire property from the United States of America.

S. B. No. 38, Relating to authorized investments by a guardian of an estate of money on hand belonging to the ward beyond that which may be necessary for the education and maintenance of such ward; and amending Section 389 of the Texas Probate Code, Acts 1955, 54th Legislature, page 88, Chapter 55, so as to add thereto a new alternative investment described as subdivision (g) authorizing such guardian to invest such money in interest-bearing time deposits which may be withdrawn on or before one year after demand in any bank to the extent that the payment of such deposit is insured by the Federal Deposit Insurance Corporation; and declaring an emergency.

S. B. 119, To make uniform the law of partnerships; defining partnership; defining relations of partners to persons dealing with the partnership; defining relation of partners to one another; defining property rights in partnerships (including those of spouses of partners); providing for dissolution and winding up; defining the rules for distribution of partnership property; providing for interpretation and construction of the Act; providing for cases not provided for herein; providing a severability clause; repealing Acts in conflict herewith; and declaring an emergency.

(With amendment.)

S. B. No. 187, Authorizing the Board of Regents of the West Texas State Teachers College to quitclaim certain property; and declaring an emergency.

S. B. No. 140, Amending the Texas Probate Code by adding thereto a Section 58a permitting a testator to devise or bequeath property to the trustee of any trust the terms of which are evidenced by a written instrument in existence before or concurrently with the execution of his will; providing that property so devised or bequeathed shall be added to

such trust and be administered thereunder in accordance with the terms of such instrument, including any written amendments or modifications thereto made prior to the death of the testator; providing for lapse in the trust is entirely revoked; and declaring an emergency.

S. B. No. 141, Amending Article 1 of Chapter III of the Texas Banking Code of 1943, as amended, codified as Article 342-301, Vernon's Texas Civil Statutes; Section 3(d) of the Texas Probate Code; and Section 25L of the Texas Trust Act, as amended, codified as Article 7425b-25L, Vernon's Texas Civil Statutes, in such manner as to clarify, harmonize and confirm the provisions of those statutes dealing with action without bond by banks with trust powers and by trust companies authorized to serve as trustee, executor, administrator, guardian, receiver, or, although without general depository powers, depository for any moneys paid into court; and declaring an emergency.

S. B. No. 142, Amending the Texas Probate Code by adding thereto a Section 105a containing reciprocity provisions authorizing out-of-state banks and trust companies, including national banks, to act in certain fiduciary capacities in the State of Texas, when and to the extent that banks and trust companies organized under the laws of the State of Texas, and national banks, with their principal offices in this state, are permitted to so act in other states, territories or the District of Columbia; providing conditions upon which such right to act in this state may be exercised; providing for service of notice or process upon such out-of-state banks and trust companies; prohibiting such banks and trust companies from establishing or maintaining places of business or soliciting fiduciary business in this state; forbidding such banks and trust companies to act in a fiduciary capacity in this state other than as authorized by this Act or other laws of this state; providing that nothing herein shall authorize any foreign bank or trust company to issue or to sell or otherwise market or distribute in this state any securities or to conduct any activities or exercise any powers of the type embraced and regulated by the Texas Banking Code of 1943 other than activities and powers in a fiduciary capacity; providing that out-of-state banks and

trust companies acting hereunder shall not be deemed to be doing business in this state and may use the names "bank," "trust," or "Bank and Trust" in their names and stationery; providing that the provisions hereof are cumulative of the provisions of Section 2 of Chapter 388, Acts of the 55th Legislature, Regular Session, 1957, fixing penalties for violations; and declaring an emergency.

Respectfully submitted,  
DOROTHY HALLMAN,  
Chief Clerk, House of Representatives

#### Reports of Standing Committee

Senator Crump submitted the following reports:

Austin, Texas,  
March 9, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Constitutional Amendments, to whom was referred S. J. R. No. 19, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

CRUMP, Chairman.

Austin, Texas,  
March 9, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Constitutional Amendments, to whom was referred S. J. R. No. 9, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass as amended and be printed.

CRUMP, Chairman.

#### Senate Concurrent Resolution 22 on Second Reading

On motion of Senator Smith and by unanimous consent, the regular order of business was suspended to take up for consideration at this time the following resolution:

S. C. R. No. 22, Granting W. R. Hall permission to sue the State of Texas.

The resolution was read and was adopted by the following vote:

Yeas—29

Aikin

Baker

Calhoun	Martin
Colson	Moffett
Creighton	Moore
Crump	Owen
Dies	Parkhouse
Fuller	Patman
Gonzalez	Ratliff
Hardeman	Reagan
Hazlewood	Roberts
Herring	Rogers
Hudson	Secrest
Kazen	Smith
Krueger	Willis
Lane	

Absent—Excused

Schwartz Weinert

#### Senate Bill 198 on Second Reading

On motion of Senator Colson and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 198, A bill to be entitled "An Act providing that the remaining balance of the sum of money heretofore appropriated to the Department of Corrections in Item 98 of the appropriations to the Department of Corrections in House Bill No. 4, Acts of the 56th Legislature, Third Called Session, 1959, Chapter 23, may be expended by the Department of Corrections for the purposes stated in Items 92 and 95 of the appropriation to the Department of Corrections in House Bill No. 4, Acts of the 56th Legislature, Third Called Session, 1959, Chapter 23 in addition to the purposes stated in Item 98 of the appropriation to the Department of Corrections in House Bill No. 4, Acts of the 56th Legislature, Third Called Session, Chapter 23, providing that no new money shall be appropriated by the provisions of this Act, providing that money already appropriated to the Department of Corrections for the biennium ending August 31, 1961, can be used to continue the operations of the Department of Corrections; and declaring an emergency."

The bill was read the second time.

Senator Colson offered the following committee amendment to the bill:

Amend S. B. No. 198, Section 1, by adding at the end of Section 1 the following language:

It is further provided, however, that expenditures from the Board of

Correction's Special Mineral Lease Fund for the purposes described by said items 92 and 95 of H. B. No. 4 may not exceed the sum of \$650,000 for the period between the effective date of this Act and August 31, 1961.

The committee amendment was adopted.

On motion of Senator Colson and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended passed to engrossment.

#### Record of Vote

Senator Hardeman asked to be recorded as voting "Nay" on the passage of S. B. No. 198 to engrossment.

#### Senate Bill 198 on Third Reading

Senator Colson moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that S. B. No. 198 be placed on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—26

Aikin	Krueger
Baker	Lane
Calhoun	Martin
Colson	Moffett
Creighton	Moore
Crump	Parkhouse
Dies	Patman
Fuller	Ratliff
Gonzalez	Reagan
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Willis

#### Nays—1

Hardeman

#### Absent

Owen                      Roberts

#### Absent—Excused

Schwartz                  Weinert

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

#### Yeas—29

Aikin	Martin
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hazlewood	Rogers
Herring	Schwartz
Hudson	Secrest
Kazen	Smith
Krueger	Willis
Lane	

#### Nays—1

Hardeman

#### Absent—Excused

Weinert

#### Senate Bill 241 on Second Reading

On motion of Senator Calhoun and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 241, A bill to be entitled "An Act amending Section 5 of Chapter 36, Acts of the 53rd Legislature, 1953, compiled as Article 326k-22 of Vernon's Revised Civil Statutes of Texas, authorizing an increase in the number of assistants, stenographers, and clerks in the office of the Criminal District Attorney of Smith County, Texas; etc.; and declaring an emergency."

The bill was read second time and passed to engrossment.

#### Senate Bill 241 on Third Reading

Senator Calhoun moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that S. B. No. 241 be placed on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—30

Aikin	Creighton
Baker	Crump
Calhoun	Dies
Colson	Fuller

Gonzalez	Owen
Hardeman	Parkhouse
Hazlewood	Patman
Herring	Ratliff
Hudson	Reagan
Kazen	Roberts
Krueger	Rogers
Lane	Schwartz
Martin	Secrest
Moffett	Smith
Moore	Willis

Absent—Excused

Weinert

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Lane
Baker	Martin
Calhoun	Moffett
Colson	Moore
Creighton	Owen
Crump	Parkhouse
Dies	Patman
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Schwartz
Hudson	Secrest
Kazen	Smith
Krueger	Willis

Absent—Excused

Weinert

**Senate Bill 249 on Second Reading**

Senator Willis asked unanimous consent to suspend the regular order of business and take up S. B. No. 249 for consideration at this time.

There was objection.

Senator Willis then moved to suspend the regular order of business and take up S. B. No. 249 for consideration at this time.

The motion prevailed by the following vote:

Yeas—22

Baker	Dies
Calhoun	Fuller
Colson	Gonzalez
Creighton	Hazlewood

Herring	Reagan
Lane	Roberts
Moore	Rogers
Owen	Schwartz
Parkhouse	Secrest
Patman	Smith
Ratliff	Willis

Nays—8

Aikin	Kazen
Crump	Krueger
Hardeman	Martin
Hudson	Moffett

Absent—Excused

Weinert

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 249, A bill to be entitled "An Act making unlawful the stealing of any dog; making such offense a felony and prescribing punishment therefor; and declaring an emergency."

The bill was read the second time and was passed to engrossment.

**Record of Votes**

Senators Hardeman, Moffett and Crump asked to be recorded as voting "Nay" on the passage of S. B. No. 249 to engrossment.

**Senate Bill 249 on Third Reading**

Senator Willis moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that S. B. No. 249 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—24

Baker	Martin
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Dies	Patman
Fuller	Ratliff
Gonzalez	Reagan
Hazlewood	Rogers
Herring	Schwartz
Kazen	Secrest
Krueger	Smith
Lane	Willis



## Nays—6

Aikin	Hudson
Crump	Moffett
Hardeman	Roberts

## Absent—Excused

Weinert

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

## Record of Votes

Senators Hardeman, Moffett, Martin, Crump and Hudson asked to be recorded as voting "Nay" on the final passage of S. B. No. 249.

## Senate Resolution 183

Senator Rogers offered the following resolution:

Whereas, We are honored today to have as visitors in the Senate Florence J. Albracht, Nazareth, Texas, W. J. Albracht, Hereford, and H. D. Blythe, Hereford; and

Whereas, We desire to welcome these distinguished visitors to the Capitol Building and Capital City; now, therefore, be it

Resolved, that their presence be recognized by the Senate of Texas and that they be extended the official welcome of the Senate.

The resolution was read and was adopted.

Senator Rogers by unanimous consent presented the guests to the Members of the Senate.

## Senate Bill 42 on Second Reading

On motion of Senator Reagan and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 42, A bill to be entitled "An Act to amend Chapter 290 of the 41st Legislature, 1929, codified as Article 2815h in Vernon's Texas Civil Statutes, as amended, authorizing any Junior College District which was originally created with the same boundaries as an Independent School District, the boundaries of which Independent School District have been

subsequently extended and enlarged to annex such territory added to such Independent School District for Junior College purposes only; providing a severability clause; and declaring an emergency."

The bill was read second time and passed to engrossment.

## Senate Bill 42 on Third Reading

Senator Reagan moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that S. B. No. 42 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—30

Aikin	Lane
Baker	Martin
Calhoun	Moffett
Colson	Moore
Creighton	Owen
Crump	Parkhouse
Dies	Patman
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Schwartz
Hudson	Secrest
Kazen	Smith
Krueger	Willis

## Absent—Excused

Weinert

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yeas—30

Aikin	Lane
Baker	Martin
Calhoun	Moffett
Colson	Moore
Creighton	Owen
Crump	Parkhouse
Dies	Patman
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Schwartz
Hudson	Secrest
Kazen	Smith
Krueger	Willis

Absent—Excused

Weinert

**Report of Standing Committee**

Senator Aikin by unanimous consent submitted the following report:

Austin, Texas,  
March 13, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred S. B. No. 320, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

AIKIN, Chairman.

**Notice of Executive Session**

Senator Dies gave notice that he would on tomorrow make a motion for an Executive Session following the Morning Call.

**Special Notice on Senate Bill 71**

Senator Reagan gave notice that he would on tomorrow make a motion to consider S. B. No. 71.

**Special Notice on Senate Bill 217**

Senator Hazlewood gave notice that he would on tomorrow make a motion to consider S. B. No. 217.

**Special Notice on Senate Bill 302**

Senator Moore gave notice that he would on tomorrow make a motion to consider S. B. No. 302.

**Special Notice on Senate Joint Resolution 10**

Senator Hardeman gave notice that he would on tomorrow make a motion to consider S. J. R. No. 10.

**Special Notice on Senate Bill 164**

Senator Rogers gave notice that he would on tomorrow make a motion to consider S. B. No. 164.

**Special Notice on Senate Bill 116**

Senator Baker gave notice that he would on tomorrow make a motion to consider S. B. No. 116.

**Special Notice on Senate Bill 95**

Senator Parkhouse gave notice that

he would on tomorrow make a motion to consider S. B. No. 95.

**Special Notice on Senate Bill 73**

Senator Herring gave notice that he would on tomorrow make a motion to consider S. B. No. 73.

**Special Notice on House Bill 189**

Senator Roberts gave notice that he would on the next House Bill Day make a motion to consider H. B. No. 189.

**Senate Resolution 184**

Senator Krueger offered the following resolution:

Whereas, It is the common goal of all God-fearing, patriotic citizens of our great State and Nation to encourage and promulgate good sportsmanship and clean living on the part of our youth; and

Whereas, The Golden Gloves, a tournament for amateur boxers, has sought through its thirty-four-year history to create an atmosphere under which young men would seek to adhere to the rules of good sportsmanship and clean living; and

Whereas, Seventeen-year-old Margarito "Chico" Marquez of El Campo captured Texas' only national championship in the 34th Annual Golden Gloves Finals held in the Chicago Stadium, March 8, 1961; and

Whereas, When Chico won the fly-weight championship in Chicago he joined the ranks of such other Golden Gloves winners as Joe Louis, Barney Ross and Tony Zale; and

Whereas, Approximately 400 communities and 20,000 boxers competed in the 1961 tournament held in 29 cities ranging from the Appalachians to the Pacific Coast and from the Canadian border to the Gulf of Mexico; and

Whereas, Chico is the son of Lucio Marquez of El Campo and is one of eleven children; and

Whereas, He is a sophomore at El Campo High School, where he is a good student, and a member of St. Robert's Catholic Church in El Campo and a member of the Sodality, his church's youth group; and

Whereas, Chico has been boxing for five years under the careful supervision of Coach Roland "Swede" Carl-

son, Wharton County Probation Officer, and a devoted youth sports activities leader; and

Whereas, Chico won the flyweight championship in Fort Worth and the Houston Open in 1961, the 1960 Houston Bantamweight Open Division, the 1958 and 1959 Novice Championship in Houston and Austin and the Junior Championship Flyweight Division at Austin in 1957; and

Whereas, He defeated Billy Ray Bauman of Nashville, Tennessee in the finals after winning four other bouts in elimination rounds that involved 29 boxers in his division—the cream of the crop—from all over the nation; and

Whereas, Although he made sports headlines as one of the “classiest golden gloves fighters in years,” this acclaim did not change his honest, humble character and when asked by Chicagoans to be “guest of the town” he politely declined stating that all he wished for was to be back in his hometown of El Campo, Texas; and

Whereas, Margarito “Chico” Marquez and his able trainer, Swede Carlson, are especially to be commended for their outstanding efforts toward making it possible for the Texas boxing team to tie for second place, which is the highest a Lone Star State squad has ever gone, Chico having earned five of the fourteen

points amassed by the Texas boxers; and

Whereas, Chico is the ninth Texas boxer to capture a championship in the Tourney of Champions in Chicago since its inception; and

Whereas, It is the desire of the Senate of the State of Texas to extend its heartiest congratulations for a job well done to this young Texan who by his performance has set an example for the youth of our land in good sportsmanship and clean living; now, therefore, be it

Resolved by the Senate of the State of Texas that we extend our hearty congratulations to this outstanding young Texan and that copies of this Resolution be forwarded to Margarito “Chico” Marquez; his father, Lucio Marquez; the principal of El Campo High School, Ed Davis; the pastor of St. Robert’s Church; and to his fine coach, Swede Carlson, as an expression of appreciation for their fine accomplishment.

KRUEGER  
GONZALEZ

The resolution was read and was adopted.

#### Adjournment

On motion of Senator Hardeman the Senate at 12:03 o’clock p.m. adjourned until 10:00 o’clock a.m. tomorrow.

**In Memory of**  
**Mr. Richard Lee Dobie, Jr.**

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Senator Kazen offered the following resolution:

(Senate Resolution 178)

Whereas, God in His infinite wisdom, on January 27, 1960, called from his earthly labors Richard Lee Dobie, Jr., of Cotulla, La Salle County, Texas; and

Whereas, Mr. Dobie was born in San Antonio, Texas, July 27, 1918, to Richard Lee Dobie and Elizabeth Kerr Dobie. He attended school in Dallas, Texas, and graduated from Cotulla High School. He also attended Schreiner Institute, and The University of Texas, where he was a member of Delta Theta Phi, graduating with a degree in law in 1940; and

Whereas, In 1941 he practiced law in partnership with H. C. Petry, Jr., at Carrizo Springs, then served with the Air Corps for four years during World War II; and

Whereas, Mr. Dobie was married to the former Miss Fredna Knaggs in 1943. This marriage was blessed with two children, Richard Lee Dobie, III, and Rebecca Elizabeth Dobie; and

Whereas, He felt a deep obligation to his fellowman which was evidenced by his many and varied activities. He was a loyal member of Cotulla Methodist Church and served on its Board of Stewards; and

Whereas, He served as Veterans County Service Officer of La Salle County from 1946 to 1950, practicing law in Cotulla at the same time; was Chairman of the La Salle County Democratic Committee, 1947 to 1950; County Attorney, La Salle County, 1951 to 1957; was appointed District Attorney 81st Judicial District by Governor Allan Shivers in 1957, serving in that capacity until his death; was Director of Cotulla Chamber of Commerce and Chairman of Troop 150, Cotulla Boy Scouts and Co-chairman of Sandia District Boy Scouts of America; served in various offices of the Farm Bureau, Lions Club, American Legion, Trail Drivers Association, Parent-Teachers Association, and Cooperator of the Dos Rios Soil Conservation District; and

Whereas, His passing has brought sadness to his family and to all who knew and worked with this dedicated citizen; now, therefore, be it

Resolved, That the Senate of Texas join in mourning the loss of this great and good man whose deeds in behalf of his city, state, and nation will be a living memorial to him; that a page be set aside in the Senate Journal; and that when we adjourn today, we do so in his honor; and, be it further

Resolved, That copies of this resolution be sent to the surviving members of his family as an expression of our sympathy.

The resolution was read and was adopted by a rising vote of the Senate.